

NOV. 23. 2005 7:17PM

IAP3 Rec'd PCT/PTO 23 NOV 2005

RECEIVED
CENTRAL FAX CENTER

NO. 825 P. 1/8

NOV 23 2005

#4

FAX TRANSMISSION

DATE: November 23, 2005

PTO IDENTIFIER: Application Number 10/530,749-Conf. #7338

Patent Number

Inventor: Jong-Mog KIM et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (571) 273-8300

FROM: BIRCH, STEWART, KOLASCH & BIRCH, LLP

James T. Eller, Jr.

PHONE: (703) 205-8000

Attorney Dkt. #: 0630-2291PUS1

PAGES (Including Cover Sheet): 8

CONTENTS:

Fax Cover Sheet (1 page)
Certificate of Transmission (1 page)
Reply to Decision on Petition (3 pages)
Supplemental Application Data Sheet (3 pages)

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at (703) 205-8000 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road, Suite 100 East, P.O. Box 747, Falls Church, Virginia 22040-0747

Telephone: (703) 205-8000 Facsimile: (703) 205-8050

RECEIVED
NOV 23 2005

PTO/SB/97 (06-04)
Approved for use through 07/31/2006. OMB 0851-0031
U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

~~Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.~~


Application No. (if known): 10/530,749

Attorney Docket No.: 0630-2291PUS1

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on November 23, 2005
Date



Signature

Shay Canfield

Typed or printed name of person signing Certificate

Registration Number, if applicable

(703) 205-8000
Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Fax Cover Sheet (1 page)
Certificate of Transmission (1 page)
Reply to Decision on Petition (3 pages)
Supplemental Application Data Sheet (3 pages)

RECEIVED
CENTRAL FAX CENTER

NOV 23 2005

Docket No.: 0630-2291PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jong-Mog KIM et al.

Application No.: 10/530,749

Confirmation No.: 7338

Filed: April 8, 2005

Art Unit: 3746

For: HERMETIC COMPRESSOR

Examiner: Not Yet Assigned

REPLY TO DECISION ON PETITION UNDER 37 CFR 1.137(b)

MAIL STOP PCT

ATTN: Office of PCT Legal Administration

Commissioner for Patents
Office of PCT Legal Administration
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Decision on Petition under 37 CFR 1.137(b) mailed on September 28, 2005, the following information is provided regarding the deficiencies in the Declaration, as required by the Office of PCT Legal Administration.

First, Applicants gratefully acknowledge the U.S. Patent and Trademark Office granting the Petition under 37 CFR 1.137(b).

Second, with regard to the name of the inventor, it is noted that the inventor is Korean and that, because the Hangul and Roman alphabet do not directly correspond, the letters "P" and "B" are often used interchangeably when transcribing Korean into English. Although the letters "P" and "B" can be used interchangeably, the preferred English transcription of the second

Birch, Stewart, Kolasch & Birch, LLP

JTE/asc

Application No.: 10/530,749

Docket No.: 0630-2291PUS1

inventor's Korean name is "O-Sup Kwon." Accordingly, attached hereto is a Supplemental Application Data Sheet, in which the transcription of the second inventor's name has been corrected from "O-Sub Kwon" to --O-Sup Kwon--, in order to be consistent with the International Application.

Finally, with regard to the filing date of the International Application listed on the Declaration, it is noted that this is a typographical error, and that the date of the earliest priority document was mistakenly listed instead of the filing date of the International Application. Accordingly, the attached Supplemental Application Data Sheet also includes a correction of this error. In spite of the error in the filing date of the International Application, it is noted that the Declaration should meet the identification requirements of 37 CFR 1.63 because it lists the inventors and the title which was on the specification as originally filed.

It is noted that the Supplemental Application Data Sheet is being submitted in accordance with 37 CFR 1.76(c)(1), which indicates that a Supplemental Application Data Sheet "[m]ay be subsequently supplied prior to payment of the issue fee either to correct or update information in a previously submitted application data sheet, or an oath or declaration under § 1.63..." Accordingly, the attached Supplemental Application Data Sheet is believed to be sufficient to meet the additional requirements set forth by the Office of PCT Legal Administration.

The present reply is being timely submitted within two (2) months of the mailing date of the Decision, and therefore no additional fees are believed to be necessary.

In the event that there are any additional requirements, it is respectfully requested that the Office of PCT Legal Administration forward appropriate notification to or contact the undersigned directly at (703) 205-8000.

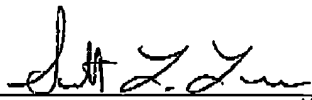
Application No.: 10/530,749

Docket No.: 0630-2291PUS1

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: November 23, 2005

Respectfully submitted,

By 
James T. Eller, Jr. #41,458
Registration No.: 39,538
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant

Attachment(s)